

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims**

1. (Currently Amended) A surgical tool assembly comprising:

an expandable tubular structure having an inner surface defining a path through the tubular structure for receiving surgical instruments;

a surgical tool structured to expand the tubular structure, the surgical tool including an elongate body and a first leg having a first end engageable with the inner surface of the tubular structure and a second leg having a second end engageable with the inner surface of the tubular structure, said first and second ends being moveable away from each other to apply a radially outwardly directed force to the inner surface of the tubular structure and cause expansion of the tubular structure to increase a cross-sectional area of the path along a portion of the path; and

an actuator configured to move axially with the elongate body of the surgical tool to move said first and second legs away from each other.

2. (Canceled)

3. (Previously Presented) A surgical tool assembly as set forth in claim 1, said surgical tool further including first and second handles, said first and second handles being movable toward each other to move said first and second legs away from each other.

4. (Previously Presented) A surgical tool assembly as set forth in claim 3, said handles being movable toward each other to axially move said actuator to move said first and second legs away from each other.

5. (Previously Presented) A surgical tool assembly as set forth in claim 1 further including a depth limiter for limiting the depth that said surgical tool extends into the path in the tubular structure.

6. (Previously Presented) A surgical tool assembly as set forth in claim 5 wherein said depth limiter includes a plurality of positions along said surgical tool to define a plurality of depths that said surgical tool may extend into the tubular structure.

7. (Previously Presented) A surgical tool assembly as set forth in claim 1 further including a member limiting the distance that said first and second legs move away from each other.

8. (Previously Presented) A surgical tool assembly as set forth in claim 7 wherein said member includes a plurality of positions to define a plurality of distances that said first and second legs may move away from each other.

9. (Previously Presented) A surgical tool assembly as set forth in claim 1, said surgical tool further including first and second handles being movable toward each other to pivot said first and second legs relative to each other and move said first and second ends away from each other.

10. (Previously Presented) A surgical tool assembly comprising:

an expandable tubular structure having an inner surface defining a path through the tubular structure for receiving surgical instruments;

an elongate member structured to expand the tubular structure, the elongate member having a first end and a second end and an intermediate member disposed between the first and second ends;

first and second handles connected to the first end of the elongate member, the handles configured to move radially toward and away from each other;

first and second legs connected to the second end of the elongate member, the first and second legs engageable with the inner surface of the tubular structure, the first and second legs being moveable away from each other to apply a radially outwardly directed force to the inner surface of the tubular structure; and

an actuator configured to move longitudinally to move said first and second legs away from each other.

11. (Previously Presented) A surgical tool assembly as set forth in claim 10, wherein the actuator is positioned inside said elongate member.

12. (Previously Presented) A surgical tool assembly as set forth in claim 11, wherein said first and second handles are biased away from each other and the first and second legs are biased toward each other, such that moving the first and second handles toward each other causes the first and second legs to move away from each other.

13. (Previously Presented) A surgical tool assembly as set forth in claim 12, further comprising a spring disposed around the actuator, the spring biasing the first and second handles and first and second legs.

14. (Previously Presented) A surgical tool assembly as set forth in claim 10, further including a depth limiter for limiting the depth that said surgical tool extends into the path in the tubular structure.

15. (Previously Presented) A surgical tool assembly as set forth in claim 14 wherein said depth limiter includes a plurality of positions along said surgical tool to define a plurality of depths that said surgical tool may extend into the tubular structure.

16. (Previously Presented) A surgical tool assembly comprising:

an expandable tubular structure having an inner surface defining a path through the tubular structure;

a surgical tool structured to expand the tubular structure, the surgical tool including  
a shaft having first and second ends;

a handle pivotally connected to the first end of the shaft, the handle configured to move between a first, expanded, configuration and a second, contracted configuration; and

first and second jaws pivotally connected to the second end of the shaft, the first and second jaws configured to move between a first, contracted configuration and a second, expanded configuration, the first and second jaws engageable with the inner surface of the tubular structure;

wherein contracting the handle causes expansion of the first and second jaws.

17. (Previously Presented) A surgical tool assembly as set forth in claim 16, further including an actuator connected to the handle and the first and second jaws.

18. (Previously Presented) A surgical tool assembly as set forth in claim 17, the actuator configured to move longitudinally along said shaft to move said first and second jaws away from each other.

19. (Previously Presented) A surgical tool assembly as set forth in claim 18, further including a spring disposed on the actuator, the spring providing a biasing force on the handle.

20. (Previously Presented) A surgical tool assembly as set forth in claim 16, wherein said handle includes first and second handle members extending radially from the shaft.